IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.864 OF 2006
IN
CRIMINAL APPLICATION NO.4334 OF 2006
IN
CRIMINAL APPEAL NO. OF 2006

The State of Maharashtra ..Applicant
Versus
Sanjay Virpakshappa Swami & 7 Ors. ..Respondents

Mrs.P.H.Kantharia APP for the State.

Coram : B.H.Marlapalle &
R.S.Mohite,JJ

Date : 22.02.2007.

PC

1. Heard Mrs.Kantharia the learned APP.

2. The State has filed Criminal Application No.4334/2006 praying for leave to appeal under Section 378(3) of Cr.P.C. but belatedly and hence, this application for condonation of delay.

3. As per the office note, the delay caused is of 21 days and we are satisfied that the same deserves to be condoned.

4. Hence, the application is allowed in terms of prayer clause-(b).

(R.S.Mohite,J) **(B.H.Marlapalle,J)**

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Coram : B.H.Marlapalle &
R.S.Mohite,JJ

Date : 22.02.2007.

PC

1. Heard Mrs.Kantharia the learned APP. Perused the reasoning set out by the learned III Adhoc Additional Sessions Judge, Solapur in support of his order of acquittal dated 25.7.2006.

2. Leave to appeal is hereby granted. Action under Section 390 of Cr.P.C. to be taken by the trial Court.

3. Paper book expedited.

(R.S.Mohite,J) (B.H.Marlapalle,J)